

Sally

BEFORE

THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 94-094-T - ORDER NO. 94-638 ✓

JULY 1, 1994

IN RE:	Application of Risher Mining and)	ORDER
	Trucking, Inc., 146 Browntown Road,)	GRANTING
	P. O. Box 364, Harleyville, SC 29448,)	CERTIFICATE
	for a Class E Certificate of Public)	
	Convenience and Necessity.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of an Application filed by Risher Mining and Trucking, Inc. (the Applicant) for a Class E Certificate of Public Convenience and Necessity to render motor freight service over irregular routes only, as follows:

COMMODITIES IN GENERAL, AS DEFINED IN R.103-211(1);
ALSO EXCLUDING BANK COURIER COMMODITIES AND
COMMODITIES COMMONLY TRANSPORTED IN ARMORED
VEHICLES: Between points and places in South
Carolina.

RESTRICTED TO: TRUCKLOAD LOTS.

DRY BULK COMMODITIES IN TANK TRUCKS: Between points
and places in South Carolina.

The Applicant requested a downward amendment of the Application in the form of a Class E and a Class F Certificate. The Class E request to read as follows:

COMMODITIES IN GENERAL, AS DEFINED IN R.103-211(1);
ALSO EXCLUDING BANK COURIER COMMODITIES AND
COMMODITIES COMMONLY TRANSPORTED IN ARMORED
VEHICLES: Between points and places in South
Carolina.

RESTRICTED: TO TRUCKLOAD LOTS.

FLY ASH IN TANK TRUCKS: From the South Carolina Electric & Gas Facilities known as The Winyah Generation Station in Georgetown, South Carolina, and A. M. Williams Plant in Goose Creek, South Carolina, to points and places in South Carolina.

The Class F request to read as follows:

DRY BULK COMMODITIES IN TANK TRUCKS: Between points and places in South Carolina, under contract with Blue Circle Cement, Inc.

Subsequent to the initiation of this proceeding, the Commission Staff instructed the Applicant to cause to be published a prepared Notice of Filing in certain newspapers of general circulation in the State of South Carolina. The Notice of Filing indicated the nature of the Application and advised all interested parties desiring to participate in the proceeding of the manner and time in which to file the appropriate pleadings. The Petition to Intervene filed by Southern Bulk Haulers, Inc. was withdrawn following the Applicant's downward amendment to the initially requested authority.

Upon consideration of the amended Application, the representations contained therein and the documentary evidence attached thereto, the Commission finds that the Applicant is fit, willing and able to perform the service to the public under the authority sought. The Commission also finds that the granting of the certificate is required by public convenience and necessity.

IT IS THEREFORE ORDERED:

1. That the Application, as amended, for a Class E and a Class F Certificate of Public Convenience and Necessity be, and

hereby is, approved as indicated above.

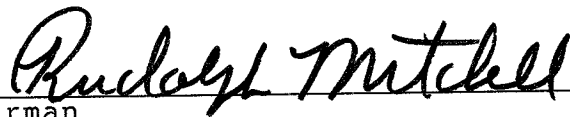
2. That the Applicant file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

3. That upon compliance with S.C. Code Ann. Section 58-23-10, et seq (1976), as amended, and the applicable provisions of R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a certificate shall be issued to the Applicant authorizing the motor carrier services granted herein.

4. That prior to compliance with such requirements and receipt of a certificate, the motor carrier services authorized herein may not be provided.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)